

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL**

FOR: HEALTH CARE FINANCING ADMINISTRATION

1. TRANSMITTAL NUMBER:

0 3 --- 1 3 ---

2. STATE

MO

3. PROGRAM IDENTIFICATION: TITLE XIX OF
THE SOCIAL SECURITY ACT (MEDICAID)

4. PROPOSED EFFECTIVE DATE

July 1, 2003

TO: REGIONAL ADMINISTRATOR
HEALTH CARE FINANCING ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES

5. TYPE OF PLAN MATERIAL (Check One):

☐ NEW STATE PLAN ☐ AMENDMENT TO BE CONSIDERED AS NEW PLAN ☒ AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION:

42 CFR 431, Subpart M

7. FEDERAL BUDGET IMPACT:

a. FFY 2003 \$ No Change
b. FFY 2004 \$ No Change

8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT:

Attachment 4.16-213

9. PAGE NUMBER OF THE SUPERSEDES PLAN SECTION
OR ATTACHMENT (If Applicable):

New material

10. SUBJECT OF AMENDMENT:

Cooperative Agreement between the Missouri Department of Social Services, Division of Medical Services
and the Missouri Office of the Attorney General.

11. GOVERNOR'S REVIEW (Check One)

☒ GOVERNOR'S OFFICE REPORTED NO COMMENT *ce*
☐ COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
☐ NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

☐ OTHER, AS SPECIFIED:

12. SIGNATURE OF STATE AGENCY OFFICIAL:

13. TYPE NAME:
Steve Roling

14. TITLE:
Director

15. DATE SUBMITTED:

September 25, 2003

16. RETURN TO:

Department of Social Services
Division of Medical Services
615 Howerton Court
P.O. Box 6500
Jefferson City, MO 65109

FOR REGIONAL OFFICE USE ONLY

17. DATE RECEIVED:

9/26/03

18. DATE APPROVED:

NOV 10 2003

PLAN APPROVED - ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL:

JUL 01 2003

20. SIGNATURE OF REGIONAL OFFICIAL:

21. TYPED NAME:

THOMAS W. Lenz

22. TITLE:

ARA for Division of Medicaid and Children's
Health

23. REMARKS:

COOPERATIVE AGREEMENT

Between

THE MISSOURI DEPARTMENT OF SOCIAL SERVICES
DIVISION OF MEDICAL SERVICES

And

THE MISSOURI OFFICE OF THE ATTORNEY GENERAL

For

LEGAL SERVICES

Purpose

Prior to July 1, 2003, legal staff of the Missouri Department of Social Services, Division of Legal Services (DSS-DLS) represented DSS in litigation and non-litigation matters related to the administration of the Title XIX State Plan. Effective July 1, 2003, staff of DSS-DLS were transferred to the Missouri Office of the Attorney General (AGO). Effective July 1, 2003 these matters will be the responsibility of the AGO. The Missouri Department of Social Services, Division of Medical Services (DSS-DMS) is the single State agency responsible for administration of the Title XIX State Plan. The AGO is empowered under Section 27.060, RSMo 2000 to represent the State of Missouri in "all civil suits and other proceedings at law or in equity requisite or necessary to protect the rights and interests of the state, and enforce any and all rights, interest or claims against any and all persons, firms or corporations in whatever court or jurisdictions such action may be necessary. ..."

The AGO shall represent the Director, the Department of Social services, and its divisions and employees in all litigation and non-litigation matters relating to the administration of the Title XIX State plan. The AGO shall represent the Director, the Department of Social Services and its divisions and employees in all litigation matters related to third party liability. The AGO shall represent the Director, the Department of Social Services and its divisions and employees in all estate recovery litigation.

Reimbursements and Documentation of Claims

A. General Provisions:

1. All costs must satisfy the specific provisions for allowability described in statutes, regulations and program directives applicable to the Title XIX program.
2. All costs must satisfy the general provisions for allowability of costs as defined in OMB Circular A-87.
3. All costs must satisfy the applicable provisions of 45 CFR Part 74 and 45 CFR Part 95.

B. Reimbursements:

1. DSS shall reimburse the Agency for the federal share of the billings for allowable Title XIX, eligible administrative costs, documented as described in C. below.

C. Documentation Standards – Basis Upon Which the Billings Will Be Made:

1. **Salaries and Wages:** Please refer to OMB Circular A-87, Attachment B – Selected Items of Cost, Section 11 – Support of Salaries and Wages.

State Plan TN# 03-13

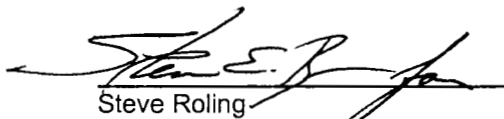
Effective Date July 1, 2003

Supersedes TN# new materx Approval Date NOV 10 2003

- a. Salaries, wages, fringe benefits and indirect costs for employees who work solely on activities funded by Title XIX Administration for the purposes specified under this agreement shall be direct billed. Employee payroll records will support the documentation requirements. The Agency agrees to periodically certify that these employees worked solely on that program for the period covered by the certification. Certifications will be prepared at least semi-annually and be maintained by the Agency for inspection by DSS or the Federal agency as they may require.
- b. Salaries, wages, fringe benefits and indirect costs for employees (including supervisory and clerical support staff of the unit) who work on multiple activities or cost objectives in addition to the activities funded by Title XIX Administration for the purposes specified under this agreement will be distributed on the basis of time and activity records of staff attorneys directly performing legal services under interagency agreements with DSS. (See attachment 1.) These records:
 - a) reflect an after the fact distribution of the actual Title XIX Administration activity reimbursable under the purposes of this agreement of each employee, and;
 - b) account for the TOTAL activity for which each employee is compensated, and;
 - c) be prepared at least monthly and coincide with one or more pay periods.

2. **Expense and Equipment:** Please refer to OMB Circular A-87 Attachment A, Section D, Composition of Cost, and OMB Circular A-87 Attachment B – Selected Items of Cost

- a. Direct costs: Costs of materials acquired, consumed, or expended that benefits only Title XIX Administration for the purposes specified under this agreement will be direct charged.
- b. Allocable Costs: Cost which are are chargeable or assignable in part to Title XIX Administration for the purposes authorized under this agreement will be distributed in the same manner as C.1(b) above.


Steve Roling
Director
Department of Social Services


Jay Nixon
Attorney general

Attachment 1. – Methodology for Allocation of Costs

Sources of Information:

Sources of financial information include reports from the Statewide accounting for Missouri (SAM II) system, SAM II H/R (Payroll system) and related fringe benefit reports.

Joint Costs and Methods for Allocation

1. All costs of the unit - which include the salaries of the unit director, unit supervisors, legal staff performing the functions described in the agreement and directly supporting staff, fringe benefits, expense and equipment costs and indirect costs will be accumulated into the cost allocation pool. If the unit director also directs the activities of other units, his/her salary or fringe benefits shall be allocated to this pool and to other units proportionately. Expenses incurred for building rents, telephones, utilities and maintenance of rental space occupied by unit staff may be allocated to the unit on the basis of the head count of unit staff as a percentage of total staff occupying the space included in these expenses or on the basis of square footage occupied by unit staff as a percentage of square footage occupied by total staff occupying the space included in these expenses as determined and documented by the Agency.
2. Legal staff performing the functions described in the agreement will maintain daily activity logs which will:
 - a) reflect an after the fact distribution of the actual Title XIX activity reimbursable under the purposes of this agreement of each employee, and;
 - b) account for the TOTAL activity for which each employee is compensated, and;
 - c) be accumulated at least monthly and coincide with one or more pay periods.
3. The cost pool will be distributed to Title XIX on the basis of the cumulative number of Title XIX reimbursable hours as a percentage of total program hours worked. "Total program hours worked" is defined as the total hours reported on the daily activity logs for Title XIX related activities and for all other programs/functions after deducting administrative hours and hours for authorized absences (vacation, sick leave, lunch and breaks). Travel and training hours not specifically attributable to Title XIX or the other programs/functions included in program hours should be identified as administrative hours. (Distribution of costs to programs using total PROGRAM hours as the base in effect distributes administrative hours and hours for authorized absences to the all programs/functions in the same proportions.)